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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/587,265	06/05/2000	NOBUYUKI TAKEO	106403	8008
25944	7590	04/21/2004	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			NGUYEN, CHAU T	
			ART UNIT	PAPER NUMBER
			2176	

DATE MAILED: 04/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/587,265

Applicant(s)

TAKEO ET AL.

Examiner

Chau Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. Amendment A, received on 02/05/2004, has been entered. Claims 1-3 are presented for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aoyama et al., Patent No. 6,493,732, Takakura et al., Patent No. 5,848,430, and further in view of Tabuchi, Patent No. 5,950,215.

4. As to claim 1, Aoyama et al. disclose a document editing apparatus for displaying on a screen a document comprising a content described in plural permeable layers by displaying the layers one on another on the screen, the apparatus comprising:

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document editing means for generating a new layer and adding thereof to the document comprising layers displayed on the screen and for generating, when new layer is added, information of the layers displayed on the screen as at-add-time layer display state information (col. 2, lines 46-53, col. 4, lines 17-38, col. 8, line 64 – col. 9, line 10 and Fig. 6);

layer state managing means for managing the layer display state information in correlation with the new added layer (col. 6, lines 19-36);

display designation receiving means for receiving a display designation for specifying an arbitrary layer from a user (col. 10, lines 3-30); and

However, Aoyama et al. do not explicitly disclose document synthesis means for displaying a layer that has been set to be displayed on a screen based on display/non-display setting included in data of each layer; and layer state reproducing means for controlling the document synthesis means to display the layer that was displayed on the screen when the specified layer was added based on the at-add-time layer display state information in response to reception of the layer specification from the display designation receiving means. In the similar field of endeavor, Takakura et al. disclose a screen control command 6-12 in Fig. 6 designates the manner of the screen display, i.e., layer display, non-layer display (col. 12, line 37 – col. 13, line 28). Takakura et al. also disclose the order of the fixed frame control data tables of the presently edited document page, which tables are developed in the main memory 1-5, is changed (edit layer of the document), thus the moved fixed frame is re-displayed (col. 18, lines 49-67). Thus, it would have been obvious to one of ordinary skill in the art at the time the

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invention was made to combine the teachings of Takakura et al. and Aoyama et al. to include document synthesis means for displaying a layer that has been set to be displayed on a screen based on display/non-display setting included in data of each layer; and layer state reproducing means for controlling the document synthesis means to display the layer that was displayed on the screen when the specified layer was added based on the at-add-time layer display state information in response to reception of the layer specification from the display designation receiving means in order to make the system more efficient.

However, Aoyama and Takakura do not explicitly disclose generating a new permeable layer based on a user entry of comments among multiple user entries, information of the permeable layers displayed on the screen as layer display state information at the time of adding the new permeable layer; and wherein the state of the document when the specified permeable layer was added is reproduced. In the same field of endeavor, Tabuchi discloses a compound document structure has a plurality of containers are layered, and each container is transparent (permeable) and provided with context information (col. 6, lines 5-16, and col. 11, lines 11-38). Tabuchi also disclose when audience newly produces, in a presentation material, a container (layer) in which data is to be embedded, the audience sets context information attendant on the container (layer) and available for everyone's referece, and history information showing version (V1, V2, ..., Vn) are set as context information to a plurality of layers (col. 11, line 39 – col. 12, line 2). Thus, it would have been obvious to one of ordinary skills in the art at the time the invention was made to combine the teachings of Tabuchi,

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Aoyama, and Takakura to include generating a new permeable layer based on a user entry of comments among multiple user entries, information of the permeable layers displayed on the screen as layer display state information at the time of adding the new permeable layer; and wherein the state of the document when the specified permeable layer was added is reproduced. Tabuchi provides the compound document managing system capable of relating common semantic information in the compound document, standardizing and automating the related procedure for utilizing this information, retrieving update information of the data among application programs, and simplifying exchange of the data among users.

5. As to claim 2, Aoyama et al., Takakura et al. and Tabuchi (Aoyama-Takakura-Tabuchi) disclose wherein the document editing apparatus comprises a client apparatus and a server apparatus connected to each other by way of a communication line, and wherein

the client apparatus comprises the document synthesis means, the document editing means, the display designation receiving means, and layer state reproducing means (Aoyama et al., Fig. 19), and

the server apparatus comprises the layer state managing means and document managing means for managing data of each layer (Takakura et al., col. 29, lines 25 – col. 29, line 50).

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6. As to claim 3, Aoyama-Takakura wherein the client apparatus further comprises layer state temporarily storing means for temporarily storing at-add-time layer display state information of each of plural layers added by the document editing means, transmitting the temporarily stored at-add-time layer display state information to the layer state managing means when the added plural layer data pieces are transmitted to the document managing means and reflected on the document, and controlling the layer state managing means to manage it (Aoyama, col. 4, lines 17-38, col. 8, line 64 – col. 9, line 10).

Response to Arguments

7. Applicant's arguments and amendments filed on 02/05/2004 have been fully considered but they are not deemed fully persuasive. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection as explained here below, necessitated by Applicant's substantial amendment (i.e. generating a new permeable layer based on a user entry of comments among multiple user entries, information of the permeable layers displayed on the screen as layer display state information at the time of adding the new permeable layer; and wherein the state of the document when the specified permeable layer was added is reproduced) to the claims which significantly affected the scope thereof.

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THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chau Nguyen whose telephone number is (703) 305-4639. The examiner can normally be reached at 8:00 am – 5:00 pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (703) 305-9792. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3230.

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Any response to this final action should be mailed to:

Box AF

Commissioner of Patents and Trademarks

Washington, D.C. 20131

Or Faxed to:

(703) 872-9306, (for **formal communications**; please mark
"EXPEDITE PROCEDURE").

Or:


(703) 746-7240 (for **informal or draft communications**, please label
"PROPOSED" or "DRAFT").

Or:

(703) 872-9306 (for **After Final Communications**).

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal
Drive, Arlington, VA., Sixth Floor (Receptionist).

Chau Nguyen
Patent Examiner
Art Unit 2176


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER